



Docket No.: 04305/100E144-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hans-Henrik Ipsen et al.

Application No.: 10/719,553

Confirmation No.: 3430

Filed: November 20, 2003

Art Unit: 1644

For: RECOMBINANT ALLERGENS

Examiner: N. M. Rooney

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This responds to the Office Action dated August 8, 2006, which set forth a restriction requirement for the above-identified application. A request for an extension of time and a check for the required fee are enclosed to extend the response period to November 8, 2006.

In response to the restriction requirement set forth in the Office Action, Applicant elects examination of invention Group I, claims 36-43 and 66-73, directed to a recombinant mutant *Bet v 1* allergen. In response to the Examiner's requirement to elect a "species" from among the subject matter claimed in Group I for examination on the merits should no generic claim be finally held to be allowable, Applicant elects the *Bet v 1* mutant Asn28Thr/Lys32Gln/Glu45Ser/Pro108Gly, *i.e.*, the "Triple-patch mutant," as described in Example 1 of the specification. The "Triple-patch mutant" recited in claim 37(ix) is believed to be encompassed by all of the claims of Group I.

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Should this species be found to be free of prior art, Applicants request that the Examiner expand the search to include the full scope of the claims within invention Group I.

The election of the invention Group I claims and the species election are made without traverse.

The Examiner has determined that invention Group I (claims 36-43 and 66-73, directed to a recombinant mutant *Bet v 1* allergen) and invention Group II (claims 44-51 and 66-73, directed to a recombinant mutant *Ves v 5* allergen) are linked by claims 82-88. Therefore, should the claims for invention Group I and the linking claims 82-88 be found allowable, Applicants may as a matter of right request rejoinder of the invention Group II claims.

This Application is believed to be in condition for allowance. A prompt and favorable action on the merits of the application is requested.

Dated: November 6, 2006

Respectfully submitted,

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